

IN THE COURT OF COMMON PLEAS
COUNTY OF SUMMIT

RECEIVED

MAY 27 REC'D

LAW DEPT.

CANDICE MARIE GRIESMAR
340 Elm St.
Ravenna, OH 44266

CASE NO.

Plaintiff

JUDGE:

vs.

COMPLAINT:

CITY OF STOW, OHIO
3760 Darrow Rd.
Stow OH 44224

Class Action

and

42 U.S.C. 1983 Federal Civil Rights

OFC. J. BAILEY #743
Lt. H. PRUSHA #707
Others Presently Unknown
c/o Stow Police Department
Stow Safety Bldg.
3800 Darrow Rd.
Stow, OH 44224

State Claims for False Arrest
and Imprisonment

Violations State Civil Rights

Violation Ohio Public Policy

Declaratory and Injunctive Relief

Defendants

INTRODUCTION

1. This is a civil rights action pursuant to 42 U.S.C. §1983 and Ohio law seeking declaratory and injunctive relief and money damages. Plaintiff ("Ms. Griesmar") asserts violations of her federal and state constitutional rights including rights and guarantees under the Fourth and Fourteenth Amendment of the United States Constitution and related rights under the Ohio Constitution.
2. Ms. Griesmar was subjected to unlawful detention of her person and loss of her property.

3. Ms. Griesmar claims violations of clearly established constitutional rights by official actions objectively unreasonable in light of her rights, including actions pursuant to policies or customs with said conduct being a deliberate moving force behind the violations.

4. Ms. Griesmar is seeking relief for losses which occurred and continue as initiated by Stow police officer J. Bailey and Lt. H. Prusha and others when they arrested Ms. Griesmar without a warrant and seized her person and property.

5. Ms. Griesmar seeks declaratory and injunctive relief, *inter alia*, directing defendants to establish and to enforce policies including, without limitation, (a) training and directing officers to obtain arrest warrants issued on probable cause for continued detention *forthwith* without undue delay within at least 12 hours of any warrantless arrest (b) training and directing patrol officers on completion and service of traffic citations to cease all questioning of detainees absent reasonable suspicion of separate illegal activity prior to completion and service of the traffic violation (c) and to cease and desist all continuing practices contrary to the foregoing, including use of other police officers to administer oaths or take acknowledgements of complaints and affidavits in any case of warrantless arrest where officers fail to *forthwith* obtain an arrest warrant for continued detention.

6. Ms. Griesmar seeks compensatory and punitive damages for seizure of her person and her vehicle, together with awards of reasonable expert and attorney fees and costs and such other and further relief as the Court deems appropriate.

JURISDICTION

7. Jurisdiction of this Court is invoked under 42 U.S.C. §1983 and related Ohio constitutional provisions and statutes. The acts complained of occurred within Summit County; venue is proper in Summit County.

PARTIES

8. At times material Ms. Griesmar was and is a resident of the State of Ohio.
9. Defendant City of Stow is a formed governmental entity in the State of Ohio. The City is a political subdivision existing pursuant to charter and the laws of the State of Ohio having the authority to sue and be sued in its corporate name.
10. The defendant City operates a police department to enforce the laws of the City, the State of Ohio and the United States.
11. At all times material defendants, officers J. Bailey and Lt. H. Prusha, were law enforcement officers trained by the City, directed to act within the scope of that employment, and had been employed by the City for years prior to the complained of incidents.
12. Another officer LNU was present in the cruiser with officer Bailey. On information and belief this officer was being trained by officer Bailey.
13. At the material times defendants Bailey and Prusha acted individually and in their respective official capacities as employees of the defendant City but, on information and belief, either or both of them may have acted contrary to established policy.
14. Ms. Griesmar's claims are fairly typical of the claims of persons she seeks to represent and, with assistance of counsel, she will fairly and adequately represent the interests of each class.
15. The two classes which Ms. Griesmar seeks to represent are (a) all persons who were subjected to warrantless arrest where no warrant was later sought or issued without undue delay by a neutral and detached magistrate, herein "the Riverside class" and (b) all persons who stopped for traffic offenses, were handed their completed traffic citations, then first interrogated, and subjected to warrantless arrest, herein "the Robinson class"
16. On information and belief, the Riverside class may contain hundreds of members such that

joinder of all such persons is impracticable. The potential class size of the Robinson class is presently undetermined.

17. There are questions of law and fact presented by the Ms. Griesmar in this action that are common to the Class. Ms. Griesmar's claims are fairly typical of the claims of the classes she seeks to represent and, with reasonable assistance, Ms. Griesmar can fairly and adequately represent the interests of each Class.

FIRST CLAIM FOR RELIEF

(Violation §1983)

18. All foregoing allegations are re-alleged.

19. On Thursday May 30, 2019 at approximately 00:58 a.m., while returning home from work, Ms. Griesmar was subjected to a traffic stop and charged by citation for 56 mph in 35zone. Exh. 1

20. Ms. Griesmar was arrested and charged with felony and misdemeanor drug charges. All were not later prosecuted but she was indicted on a fifth-degree felony drug charge. Exhs. 2 to 5.

21. After issuing and serving the citation, Ms. Griesmar was not told that she was free to go, but was interrogated, her vehicle searched without her consent, and she was subjected to warrantless arrest, and detention of her person and property.

22. Camera and report records show that Ms. Griesmar was stopped for speeding and briefly questioned about that matter. No mention was made of suspicion of any other activity. The officer "returned to my cruiser to write out a citation".

23. Writing the citation was recorded by in car camera. After the citation was written the officer returned to Ms. Griesmar's vehicle and served it, then first claiming "I continually smelled a light odor of marijuana coming from her vehicle"

24. The officer claimed that "after explaining and issuing Candice the speeding citation", the officer then first "asked her about the odor of marijuana" and "asked her for consent to search her

vehicle and she stated she just wanted to go home". The officer then "told her due to the odor of marijuana it was actually not an option and that [he] was going to search her vehicle".

25. The federal and state constitutions protect against unreasonable search and seizure.

26. Section 14, Article 1 of the Ohio Constitution provides that on completion of the citation Ms. Griesmar was free to go and not subject to interrogation.

27. The federal and state constitutions require that on warrantless arrest a reasonably prompt determination of probable cause be made by a neutral and detached magistrate.

28. Ohio Revised Code §2935.05 and 2935.08 implement the foregoing protections. Upon filing of charges after warrantless arrest a warrant *shall* issue and "all further detention and further proceedings shall be pursuant to such affidavit or complaint and warrant".

29. Exhibits 2 and 3 are the complaint forms used by these arresting officers; each stated:

"Complete this section if a warrant on complaint is to be issued".

30. As part of standard practice, that section was left blank on each Exhibit 2 and 3.

31. Contrary to clearly established law, as evidenced on the face of the complaint forms, no warrant on the complaint was sought; no reasonably prompt determination of probable cause for arrest was obtained by the defendants after warrantless arrest contrary to clearly established law.

32. Ms. Griesmar states that all foregoing actions of defendants were intentional acts, taken a part of customary practice, procedures, and purported training, but are violations of clearly established standards of the Fourth and Fourteenth Amendments of the United States Constitution and our Ohio Constitution and laws enacted to implement the same.

33. The complaint forms were sworn to by one police officer before another police officer. Any warrant obtained solely upon such a complaint is contrary to clearly established law.

34. Reliance on R.C. 2935.081 absent obtaining an arrest warrant forthwith is part of a practice designed to avoid prompt determination of probable cause by a neutral and detached magistrate.

35. On information and belief, a class of others have been arrested without a warrant and without prompt determinations of probable cause for such warrantless arrest.

SECOND CLAIM FOR RELIEF
(Inadequate Training and Supervision)

36. All foregoing allegations are re-alleged.

37. To Ms. Griesmar's information and belief defendant City's failure to maintain and enforce proper training or policies and procedures in prompt issuance of warrants only upon determination by neutral and detached magistrates and a custom of tolerance of acquiescence in violation of the constitutional requirement violated Ms. Griesmar's constitutional rights to due process and as aforesaid.

THIRD CLAIM FOR RELIEF
(Declaratory and Injunctive Relief)

38. All foregoing allegations are re-alleged.

39. Ms. Griesmar is entitled to declaratory and preliminary and permanent injunction relief ending the complained of practices. She is entitled to recover all attorneys' fees, costs, and expenses incurred in order to obtain this relief.

FOURTH CLAIM FOR RELIEF
(State Action False Arrest and Imprisonment)

40. All foregoing allegations are re-alleged.

41. Warrantless arrests are per se unreasonable. As a result of her arrest Ms. Griesmar was jailed for excessive time, required to post bond and to defend against the charges to her damage.

42. The case terminated October 30, 2019; further timely prosecution is barred by law. Exh. 6.

43. In the narrow context of her case, and potentially in the context of class members, defendants used excessive force in making these arrests.

FIFTH CLAIM FOR RELIEF
(State Action -Ohio Constitutional and Public Policy Violations)

44. All foregoing allegations are re-alleged.

45. Defendants have a policy and practice of permitting police officers to make warrantless arrests without forthwith follow-up and without undue delay in obtaining a warrant for further detention of those arrested.

46. Said policy and practice violates clearly established state constitutional and statutory law and further violates Ohio public policy.

WHEREFORE, pursuant to 42 U.S.C. §1983 and Ohio constitutional and statutory law Ms. Griesmar demands declaratory and injunctive relief against defendants determining the practices of unreasonable delay in seeking probable cause determinations after warrantless arrest violate clearly established law and must cease and desist, for compensatory damages, attorneys' fees, costs and such other relief as this Court deems fair and equitable.

Respectfully submitted,

/s/ Mark H. Ludwig

Mark H. Ludwig (#0017246)

Law Office of Mark H. Ludwig, LLC

344 Stouffer Road

Fairlawn, OH 44333

330-472-1824

attymarkludwig@gmail.com

OF STOW
☒ STOW
 TYPAL COURT, SUMMIT COUNTY, OHIO
☐ SUMMIT COUNTY JUVENILE COURT
☐ STATE OF OHIO

TICKET # **140553**
 CASE # **19TRD5155**

NAME **CANDICE MARIE GRIESMAR**

STREET **1575 WINCHESTER Rd.**

CITY, STATE **LYNCHBURST, OH**

ZIP **44124**

OPERATOR LICENSE/STATE ID# <input type="checkbox"/> None*		BIRTH DATE	ISSUE DATE	STATE
UM084854/0H		12/3/97	11/29/18	OH
CLASS	EXPIRES	ENDORSEMENT(S)/RESTRICTION(S)		
D	12-3-22	SSA (last 4 digits)		
<input type="checkbox"/> CDL <input type="checkbox"/> MC <input type="checkbox"/> Other				
SEX	HEIGHT	WEIGHT	EYES	HAIR
F	5'5"	159	BLU	BLW
RACE	FINANCIAL RESPONSIBILITY PROOF?			
W	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A			

* If no OH/State ID, REQUIRED documentation attached: ☐ Yes

TO DEFENDANT: COMPLAINT ON **5-30** 20**19** AT **0058** AM/PM, YOU
 Operated/Passenger/Parked/Walked a ☒ Passenger ☐ Motorcycle ☐ Bicycle ☐ Other

☐ Commercial DOT# ☐ ≥26,001 lbs. ☐ <16 Pass. Bus ☐ ≥16 Pass. Bus ☐ Haz. Mat.

VEHICLE: YEAR **2012** MAKE **KIA** MODEL **SORENTO**

COLOR **BLACK** LICENSE # **HOH 7510** STATE **OH**

UPON A PUBLIC HIGHWAY, NAMELY **FISHCREEK Rd**

AT/NEAR **GRAHAM**

IN THE CITY OF **STOW** IN **SUMMIT**

COUNTY (NO.), **77** STATE OF OHIO AND COMMITTED THE FOLLOWING OFFENSE(S).

<input checked="" type="checkbox"/> SPEED: 56 MPH in 35 MPH zone <input type="checkbox"/> Over limits <input type="checkbox"/> Unsafe for conditions <input type="checkbox"/> ACDA <input type="checkbox"/> Radar <input type="checkbox"/> Air <input type="checkbox"/> VASCAR <input type="checkbox"/> Pace <input type="checkbox"/> Laser <input type="checkbox"/> Stationary <input type="checkbox"/> Moving		<input type="checkbox"/> ORC <input type="checkbox"/> ORD <input type="checkbox"/> T.P. 333.03D
<input type="checkbox"/> OVI: <input type="checkbox"/> Under the influence of alcohol/drug of abuse. <input type="checkbox"/> Prohibited blood alcohol concentration. BAC <input type="checkbox"/> Blood <input type="checkbox"/> Breath <input checked="" type="checkbox"/> Urine <input type="checkbox"/> Refused		<input type="checkbox"/> ORC <input type="checkbox"/> ORD <input type="checkbox"/> T.P.
Prior OVIs: # of prior OVIs 1 Years of prior OVIs 1		
DRIVER LICENSE: <input type="checkbox"/> None <input type="checkbox"/> Not on person <input type="checkbox"/> Revoked <input type="checkbox"/> Suspended EXPIRED: <input type="checkbox"/> <6 months <input type="checkbox"/> >6 months <input type="checkbox"/> Failure to Reinstate Suspension Type: C		<input type="checkbox"/> ORC <input type="checkbox"/> ORD <input type="checkbox"/> T.P.
SAFETY BELT: Failure to wear <input type="checkbox"/> Driver <input type="checkbox"/> Passenger <input type="checkbox"/> Child Restraint <input type="checkbox"/> Booster Seat		<input type="checkbox"/> ORC <input type="checkbox"/> ORD <input type="checkbox"/> T.P.
OTHER OFFENSE: 2119 MAY 30		<input type="checkbox"/> ORC <input type="checkbox"/> ORD <input type="checkbox"/> T.P.
OTHER OFFENSE: 2119 MAY 30		<input type="checkbox"/> ORC <input type="checkbox"/> ORD <input type="checkbox"/> T.P.
<input type="checkbox"/> DRIVER LICENSE HELD <input type="checkbox"/> VEHICLE SEIZED <input type="checkbox"/> JUVENILE OFFENDER		
PAVEMENT: <input checked="" type="checkbox"/> Dry <input type="checkbox"/> Wet <input type="checkbox"/> Snow <input type="checkbox"/> Ice # of Lanes 2 <input type="checkbox"/> Construction Zone		
VISIBILITY: <input type="checkbox"/> Clear <input type="checkbox"/> Cloudy <input type="checkbox"/> Dusk <input checked="" type="checkbox"/> Night <input type="checkbox"/> Dawn		
WEATHER: <input type="checkbox"/> Rain <input type="checkbox"/> Snow <input type="checkbox"/> Fog <input checked="" type="checkbox"/> No Adverse		
TRAFFIC: <input type="checkbox"/> Heavy <input type="checkbox"/> Moderate <input checked="" type="checkbox"/> Light <input type="checkbox"/> None		
AREA: <input type="checkbox"/> Business <input type="checkbox"/> Rural <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Industry <input type="checkbox"/> School		
CRASH: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Almost Caused <input type="checkbox"/> Non-Injury <input type="checkbox"/> Injury <input type="checkbox"/> Fatal		
Crash Report Number:		
REMARKS: 19-09269		
ACCOMPANYING CRIMINAL CHARGE <input type="checkbox"/> Yes <input type="checkbox"/> No TOTAL # OFFENSES 1		

TO DEFENDANT: SUMMONS PERSONAL APPEARANCE REQUIRED ☐ Yes ☒ No
 You are summoned and ordered to appear on **6-6** 20**19** at **11:00** AM/PM, at

☒ STOW MUNICIPAL COURT
 4400 COURTHOUSE BOULEVARD
 STOW, OHIO 44224

☐ SUMMIT COUNTY JUVENILE COURT
 650 DAN STREET
 AKRON, OHIO 44310

If you fail to appear at this time and place you may be arrested or your license may be cancelled.
 This summons served personally on the defendant on **5-30** 20**19**
 The Issuing/charging law enforcement officer states under the penalties of perjury and falsification that he/she has read the above complaint and that it is true.

743
 Charging Law Enforcement Officer

Issuing Law Enforcement Officer

☒ SAME AS ABOVE
 Issuing Officer: Verify address. If different from license address, write present address in space provided.

0HP0060 10-0060-00 (REVISION 0509)

COURT RECORD

Sandra Kurt, Summit County Clerk of Courts

0SHP HP7
 (06305)

140553

EXHIBIT 1

THE STOW MUNICIPAL COURT, STOW OHIO 44224

STATE OF OHIO/COUNTY OF SUMMIT
CITY/TWP OF Stow

CASE NO.: 19 CRA 16 12

V.

Candice Marie Griesmar 12/03/1997
Name 340 Elm St DOB
Street Number and Name
Ravenna Ohio 44286
City State Zip Code

☐ COMPLAINT/ SUMMONS
ORDERED TO APPEAR:

☒ WARRANT ON COMPLAINT
☒ Probable Cause Affidavit Attached

Complainant being first duly sworn states that Candice Marie Griesmar, the defendant, on or about the 30th day of May, 2019, in the ☒ City ☐ Village ☐ Township of Stow, County of Summit, State of Ohio, did violate section number 2925.11 of the ☒ Ohio Revised Code ☐ Codified Ordinances of Stow constituting a charge of Possession of Drugs - Sch. II Oxycodone
(Insert essential facts with elements of charge)

Candice Griesmar did, knowingly possess, or use Oxycodone Hydrochloride, a Schedule II controlled substance, in violation of Section 2925.11 of the Ohio Revised Code, a Felony of the Fifth Degree

OFC J. Bailey 793
Complainant

Sworn to and subscribed before me by said complainant this 30th day of May, 2019
Month Year

Lt. J. Prusha 707
Judge/Clerk/Deputy Clerk/Peace Officer

Complete this section if a warrant on complaint is to be issued

To: Any Sworn Officer

Officer Authorized to Execute a Warrant

A probable cause determination has been made in this case, you are ordered to arrest _____ (defendant) and bring him/her before this court without unnecessary delay.
Special Instructions to executing officer: _____

Judge/Clerk/Deputy Clerk
The Stow Municipal Court

Date Issued

Receipt of Warrant by Executing Authority

First Receipt

Received this warrant on _____, 20____ at _____ o'clock _____ m.

Subsequent Receipt:

Received this warrant on _____, 20____ at _____ o'clock _____ m.

Officer / Title

Officer / Title

White: Case Copy

Yellow: Summons

Pink: Defendant's Copy

Blue: Warrant on Complaint

DATE 9-18-19
This is to certify that the above is a true and correct copy of Warrant on Complaint filed in the Stow Municipal Court, Summit County, Ohio on 5-30-19
AMBER ZIBRITOSKY, CLERK OF COURTS
(SEAL) By [Signature] Deputy Clerk
Sandra Kurt, Summit County Clerk of Courts

EXHIBIT 2

Sandra Kurt, Summit County Clerk of Courts

STOW MUNICIPAL COURT

☒ MINOR MISDEMEANOR CITATION

☐ SUMMONS AND COMPLAINT

19-9369

STATE OF OHIO, COUNTY OF SUMMIT

☐ TOWNSHIP OF

☐ VILLAGE OF

☒ CITY OF

TICKET
NUMBER

59177

COURT CASE NUMBER

19CRB1613(7)

VS.

NAME Candice Marie Griesmar

ADDRESS 340 Elm St.

CITY, STATE Ravenna, OH ZIP 44266

SEX F	HEIGHT 5'05	WEIGHT 159	HAIR BLN	EYES BLU	DATE OF BIRTH 12/03/97	AGE 21
SOCIAL SECURITY NO. [REDACTED]			EMPLOYER. [REDACTED]		HOME PHONE (216) 288-1833	

COMPLAINT

THE UNDERSIGNED, BEING DULY SWORN, UPON HIS OATH DEPOSES AND SAYS THAT THE PERSON WHOSE NAME IS INSCRIBED ABOVE DID

ON 05/30/19 AT 0058 AM

IN THE ☐ TOWNSHIP ☐ VILLAGE ☒ CITY OF STOW

SUMMIT COUNTY (NO. 77) COMMITTED TO THE FOLLOWING OFFENSE:

Possession of Marijuana; No person shall knowingly obtain, possess, or use a Schedule I Controlled Substance, to wit: Marijuana in an amount less than 100 grams.

AT Graham Rd. / Fishcreek Rd

A MISDEMEANOR OF THE minor DEGREE.

IN VIOLATION OF SECTION NO. 2925.11 ☒ OHIO REVISED CODE

☐ CODIFIED ORDINANCE OF STOW THIS CITATION

WAS SERVED PERSONALLY ON THE DEFENDANT ON 05/30/19

SIGNATURE OF ISSUING OFFICER [Signature] OHIO STOW PD LAW ENFORCEMENT DEPARTMENT

SIGNING THIS CITATION DOES NOT CONSTITUTE ANY ADMISSION TO THE FACTS ALLEGED. FAILURE TO SIGN MAY RESULT IN YOUR ARREST.

X [Signature] DEFENDANT'S SIGNATURE

BEING DULY SWORN, THE ISSUING LAW ENFORCEMENT OFFICER STATES THAT HE HAS READ THE CITATION AND THAT IT IS TRUE.

SIGNATURE OF ISSUING OFFICER [Signature]

SWORN TO AND SUBSCRIBED BEFORE ME ON 05/30/19

Lt. Wm P. [Signature] 707
JUDGE - CLERK - DEPUTY CLERK - NOTARY PUBLIC

YOU ARE ORDERED TO APPEAR:

☒ STOW MUNICIPAL COURT
4400 Courthouse Boulevard
Stow, Ohio 44224
Phone: (330) 564-4149

☐ SUMMIT CO. JUVENILE CT.
Contact Juvenile Court regarding
court appearance.
Phone: (330) 643-2917

COURT DATE <u>video</u>			
05	30	19	1000 AM
MONTH	DAY	YEAR	TIME

☐ COURT APPEARANCE
REQUIRED; DEFENDANT
IS NOT ELIGIBLE TO
PAY WAIVER

DATE 9-18-19

This is to certify that the above is a true and correct copy of Complaint filed in the
Stow Municipal Court, Summit County, Ohio
on 5-30-19

AMBER ZIBRITOSKY, CLERK OF COURTS
(SEAL) By [Signature] Deputy Clerk

COURT RECORD

Sandra Kurt, Summit County Clerk of Courts

EXHIBIT 4

SANDRA KURT

2019 JUN -7 PM 12: 19

IN THE COURT OF COMMON PLEAS
COUNTY OF SUMMIT, OHIO
SUMMIT COUNTY
CLERK OF COURTS

INDICTMENT TYPE: DIRECT

CASE NO. CR 2019-05-1866

INDICTMENT FOR: AGGRAVATED POSSESSION OF DRUGS (1) §2925.11(A), 2925.11(C)(1)(A)
F5In the Common Pleas Court of Summit County, Ohio, of the term of MAY in the year of our Lord, Two
Thousand Nineteen.The Jurors of the Grand Jury of the State of Ohio, within and for the body of the County aforesaid,
being duly impaneled and sworn and charged to inquire of and present all offenses whatever committed
within the limits of said County, on their oaths, IN THE NAME AND BY THE AUTHORITY OF THE
STATE OF OHIO,

COUNT ONE

DO FIND AND PRESENT, that CANDICE MARIE GRIESMAR on or about the 30th day of May,
2019, in the County of Summit and State of Ohio aforesaid, did commit the crime of AGGRAVATED
POSSESSION OF DRUGS in that she did knowingly obtain, possess, or use a controlled substance or
a controlled substance analog and the drug involved in the violation is a compound, mixture,
preparation, or substance included in Schedule I or II, to wit: oxycodone, a Schedule II drug, in
violation of Section 2925.11(A), 2925.11(C)(1)(a) of the Ohio Revised Code, a FELONY OF THE
FIFTH DEGREE, contrary to the form of the statute in such case made and provided and against the
peace and dignity of the State of Ohio.s/ Sherri Bevan Walsh *WB*
Sherri Bevan Walsh, Prosecutor
County of Summit, Ohio

Prosecutor, County of Summit, by

s/ [Signature]
Assistant Prosecuting AttorneyMelissa Reynolds
Grand Jury Foreperson/Deputy ForepersonDate: 6-6-19

A TRUE BILL

EXHIBIT 5

**IN THE COURT OF COMMON PLEAS
COUNTY OF SUMMIT**

THE STATE OF OHIO

Case No. CR-2019-05-1866

VS.

CANDICE MARIE GRIESMAR

JOURNAL ENTRY

On October 30, 2019, upon Motion of the Assistant Prosecuting Attorney, Joseph McAleese, on behalf of the State of Ohio, and for good cause shown, the Court hereby orders that the Indictment in this case as to the said Defendant be DISMISSED, without prejudice.

IT IS FURTHER ORDERED that the bond posted in this case shall be released to the surety, FORTHWITH.

INDICTMENT FOR: AGGRAVATED POSSESSION OF DRUGS-2925.11(A)(C)(1)(A)-F5



SUSAN BAKER ROSS, Judge
Court of Common Pleas
Summit County, Ohio

/lnh

cc: Assistant Prosecutor Joseph McAleese
Assistant Prosecutor Brian Stano
Attorney Mark H. Ludwig
Warrants
Registrar's Office

EXHIBIT 6
Page 1 of 1